

REMARKS

Claims 1, 6-8, 10-21 and 24-28 have been examined. Claim 1 has been amended. Reconsideration of the claims, as amended, is respectfully requested.

Initial Remarks

Counsel for the Applicant wishes to thank the Examiner for the interview of June 12, 2008. An appropriate Interview Summary form has been completed by the Examiner.

Claim Rejections - 35 USC §102

Claims 1, 6-8, 10-21 and 24-28 have been rejected under 35 USC §102(b) as being anticipated by Boe. This rejection is respectfully traversed.

As discussed in the interview, independent claim 1 claims a system having a construct repository that includes construct reference sets. These reference sets contain information representing contrasting opinions of users relating to first and second descriptive terms. In other words, the construct repository has information on the psychology of various individuals. The system also includes a graphical interface which permits a user to express an opinion between two descriptive terms. An analysis engine is employed to determine which other users have a similar personal construct and then to generate a recommendation for the user related to an item based on which item the other users having a similar personal construct selected. In other words, the system of claim 1 evaluates various individuals to determine their psychological profiles. The system then groups these individuals based on those having similar psychological profiles. A new user is then tested to see which group of individuals have a similar psychological construct to his own. For those with similar constructs, the system may then recommend an item which similar users in the group have also recommended.

As discussed in the interview, this is far different from Boe which obtains demographic data in order to determine what people having similar demographics purchased. Hence, claim 1 which clearly recites the psychological evaluation according to a personal construct theory and the recommendation of items for which users having a similar psychological construct have selected is distinguishable. Claims 6-8 and 9-21 depend from

claim 1 and are distinguishable for at least the same reasons. Independent claim 25 includes steps describing how various entailment values may be compared using a statistical process. Since none of these limitations are taught, claim 25 is distinguishable. Independent claim 26 claims a system for improving the accuracy of a recommendation and is also not taught by the Boe patent. Hence, claims 26-28 are distinguishable.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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